IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

U.S. BANK NATIONAL ASSOCIATION,) as Trustee, successor-ininterest to Bank of America, N.A., as Trustee, successor to Wells Fargo Bank, N.A., as Trustee, for the registered holders of Wachovia Bank Commercial Mortgage Trust, Commercial Mortgage Pass-Through Certificates, Series 2055-C22, 8:10CV361 Plaintiff, v. DAVID D. GRAF, an Individual, ORDER Defendant.

This matter is before the Court on the suggestion of bankruptcy (Filing No. $\underline{97}$) as to defendant David D. Graf. Having been advised that debtor has been discharged in bankruptcy in the District of South Dakota (Northern (Aberdeen)),

IT IS ORDERED that the suggestion of bankruptcy is dismissed as moot.

DATED this 13th day of September, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge United States District Court